

MINUTES OF REGULAR MEETING November 7, 2012

1. CALL TO ORDER

Mayor Bischoff opened the meeting at 7:00 p.m.

- 2. “Sunshine Law” Announcement** – Adequate notice of this public meeting has been provided by the Annual Notice; posted on Union Township website, published in the Hunterdon County Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

3. FLAG SALUTE

- 4. ROLL CALL** Present: Mr. Mazza, Ms. McBride, Mr. Bischoff, Mr. Severino
Absent: Mr. Hirt
Others Present: J. Peter Jost, Esq., Ella Ruta Clerk

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular Meeting and Executive Session Minutes of October 17, 2012.

Approval for Regular Meeting Minutes of October 3, 2012.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt						X
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

6. VISITORS

- a. NJ State Trooper Agaccio and Trooper Ayala. Discussed with Mayor the status of Hurricane Sandy damages and power outages in the Township. Mr. Mazza stated Halloween will be on Friday, November 9th and asked the Troopers for coverage. The Mayor said the Committee will discuss later in the meeting.
- b. Anthony Kearns III, Hunterdon County Prosecutor

7. REPORTS RECEIVED

- a. Dept of Roads & Facilities – Week Ending 10/12/12; 10/19/12; 10/26/12.
b. Tax Collector – October 2012
c. Zoning Officer – October 2012
d. Engineer’s Report - not present. The Engineer will send email and hard copies of one of the road applications.

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Mazza mentioned the following correspondence:

- I just wanted to say that the daily update on Hurricane Sandy was very helpful.

Ms. McBride mentioned the following correspondence: None

Mr. Severino mentioned the following correspondence: None

Mr. Bischoff mentioned the following correspondence:

- Mayor's Advisory Re: COAH 3rd Round Rules Challenge Schedule for NJ Supreme Court Oral Argument. To take place on November 7th.
- Mayor's Advisory Re: User Friendly Budget Proposed Reporting Platform Update. Grace Brennan CFO has been given the information.

9. PUBLIC COMMENTS

10. OLD BUSINESS

11. PUBLIC HEARING

12. NEW ORDINANCE – 1ST Reading

13. NEW BUSINESS

7:12 pm Mr. Hirt arrived

RESOLUTION #2012-131

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, at the Municipal Tax Sale held on October 4, 2011, a lien was sold on Block 5, Lot 1.01, also known as Strotz Rd, Asbury, NJ, for 2010 delinquent taxes; and,

WHEREAS, this lien, know as Tax Sale Certificate # 2010-01, was sold to Tad. J. Dabrowski, for a 18% redemption fee and a \$0 premium; and,

WHEREAS, Certificate # 2010-01 had been redeemed in the amount of \$13,609.34,

NOW, THEREFORE, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$13,609.34, payable to Tad J. Dabrowski, 329 Durham Ave., South Plainfield, NJ 07080 for the redemption of Tax Sale Certificate # 2010-01.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

RESOLUTION #2012-132**UNION TOWNSHIP, HUNTERDON COUNTY****2012-2013 PLENARY RETAIL CONSUMPTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union to be effective on July 1, 2012; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to execute, issue and delivery such license to the following licensee:

Name & Trade Name: Apalo Inc
t/a Perryville Inn

Location & Mailing Address: 167 Perryville Road
Hampton, New Jersey 08827

License #: 1025-33-006-006

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

Date: November 7, 2012

I, Ella M. Ruta, Municipal Clerk of the Township of Union, County of Hunterdon, do hereby certify the foregoing to be a true and accurate copy of a resolution adopted by the Township of Union Committee at a meeting of said Township Committee held on November 7, 2012.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

**TOWNSHIP OF UNION
COUNTY OF HUNTERDON
RESOLUTION 2012-133**

WHEREAS: The Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide County Funds in connection with preserving open space, natural areas, farmland and historic sites; to acquire, develop, improve and maintain county and municipal lands for recreation and conservation purposes; and preservation of historic structures, properties, facilities, sites, areas, or objects; or for the payment of debt service or indebtedness issued or incurred by the municipality for any of the purposes described above; and

WHEREAS, the **Township of Union** desires to further the public interest by obtaining funding in the amount of **\$26,416.80** from the County of Hunterdon to fund the following project: **Milligan Farm – Union**

Township Open Space Plan – Green Acres Project No. 1025-02-075 – acquisition in fee simple of 83.913 acres to be permanently preserved as open space at a cost of \$10,000,000.00 (Ten Million Dollars);

NOW, THEREFORE, the governing body resolves that **William F. Bischoff, Mayor** is hereby authorized to:

- (a) make application for such County Open Space Trust Funds,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named Municipality; and

WHEREAS, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, applicable Freeholder Board Policies and the Procedures Manual for the Municipal Grant Program adopted thereto, and notify the Municipality of the amount of the funding award; and

WHEREAS, the Municipality is willing to use the County funds in accordance with such adopted Policies and Procedures, and applicable state and local government rules, regulations and statutes;

NOW, THEREFORE, BE IT FURTHER RESOLVED, BY THE Union Township Committee of the Township of Union, Hunterdon County, New Jersey

1. That **Mayor William F. Bischoff** of the above named Municipality is hereby authorized to execute any documents and agreements with the County of Hunterdon known as **Milligan Farm – Union Township Open Space Plan – Green Acres Project No. 1025-02-075 – acquisition in fee simple of 83.913 acres to be permanently preserved as open space;**
2. That the Municipality has its share of funds, if required, in the amount of **\$26,516.80**
3. That, in the event the County of Hunterdon's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

14. REPORTS

a. Attorney's Report

- Tomorrow is the meeting for the dissolution of the North Hunterdon Court. The Mayor and I will attend on behalf of Union Township and make our case to the effect that we do not feel that we are responsible for any part of it.
- Drafted tax receipt form to be used to accept property taxes when the Tax Collector is not in the office. Discussion of the acceptance and authorization signature on the form.

Motion to use the "Receipt for Property Taxes" form when accepting tax payments from residents by the Administrative staff and CFO.

MINUTES OF REGULAR MEETING November 7, 2012

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

- Have a personnel item for Executive Session.

b. Mayor's Report

- “Never underestimate the bad taste of the American public” – H.L. Mencken
- Mayoral appointment of Don Church as UTEC Chairman and Brett Bragin as Secretary and Vice Chairman of UTEC.
- COAH meeting mentioned in correspondence changed to Wednesday, November 14th.
- Attorney sent letter to Planning Board discussing professional office zone district regulations. The Chairman replied that we do not need to change it. The ordinance covers it and we are now waiting for input from Attorney Anderson.
- Sent Committee Court revenue statement for October and revenues are trending down for tickets in Union Township.
- Federal Energy Regulatory Commission (FERC) has granted certification to Williams Transco Pipeline.
- The League of Municipalities Conference canceled.

c. Committee ReportsMr. Hirt reported the following:

- FEMA information is coming in slowly due to computers with no power. FEMA is looking at debris on roads and damage and writing a report for debris assistance. Need to collect information on clean up for Township assistance from FEMA. Mr. Mazza inquired about filing private insurance and FEMA. Claims for both private and FEMA insurance must be filed.

Ms. McBride reported the following:

- Personnel issue for Executive Session.
- Ms. Lingelbach and I attended the October 18th Historic Bridges Meeting re: bridge on Race Street. Met with Historic Commission and agreed with their recommendation to the State that the bridge be built as proposed by Ms. Lingelbach.
- Notification to residents that tree limbs could be dropped off at Finn Road Park.
- Did daily phone conference calls with the power company and issued website updates. There are questions from residents about restoration of cable service.

The Mayor thanked Michele McBride, Deputy Mayor on a truly outstanding job in keeping the line of communications open and communicating with the public at large through email and Facebook and through personal contact. Job well done.

- Next Tuesday, November 7th at 7:00 pm UTEC will have Bob O'Neil, Senior Watershed Specialist from the NJ Water Supply here to talk about storm water management issues. Everyone is invited.

Mr. Severino reported the following:

- Two new employees for recycling are working out very well and will need gloves and bright colored safety vests. Mr. Peake will be pricing the items, not to exceed \$250.00.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza	X		X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- Recycling event went well considering short notice. We consider doing it again with more exposure to residents. 2,600 lbs of shredding collected.
- Asked if light motion sensors inside the Municipal Building could be bypassed. Said that the hallway lights should stay on when the Committee meeting is in session. Clerk will ask electrician if it is possible to bypass the automatic light switch.

Mr. Mazza reported the following:

- Received calls from residents who want to start up Cable Advisory Committee again. There is a New Jersey Office of Cable TV where residents can register their complaints. The Attorney will provide the number.
- Problem with debris left from cutting down trees to enable the power company to fix lines. The debris is huge and is in Township right of way and on private property. We need a plan to remove the debris. Mr. Hirt, OEM will contact FEMA concerning their offer of free tree removal.

d. Clerk's Report

15. PUBLIC COMMENTS - None

16. PAYMENT OF BILLS - None

17. EXECUTIVE SESSION – Contract Negotiations and Personnel. If needed, action maybe taken following Executive Session.

RESOLUTION #2012- 134

Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

2. _____ *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on November 7, 2012, at 7:59 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

7:59 pm go into Executive Session

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mr. Hirt	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

8:06 pm the Committee temporarily reconvened into regular session to allow discussions with the Prosecutor.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

Anthony Kearns III, Hunterdon County Prosecutor introduced Lt. Robinson from Perryville Barracks. Mr. Kearns gave an overview of how the law enforcement operates in the County. He also clarified the situation with the helicopter flying over Union Township few weeks ago. He stated that there is a capability of reverse 911 to notify citizens if needed. The Mayor agreed using reverse 911 is an excellent idea. The Mayor also requested information be relayed to him so his Deputy can send via Township website a statement to residents to keep them informed.

The Mayor questioned Lt. Robinson about the declining Court revenue and asked if he could do more enforcement in Union Township.

MINUTES OF REGULAR MEETING November 7, 2012

The Prosecutor talked briefly about drug and gang activity in Hunterdon County.

Mr. Hirt mentioned that the DOT fixed all the fencing along the right-of-way on both sides of Rt.173 and cleaned up the garbage. Notified them about the tree that is there so they can come back and fix that.

8:26 pm Committee returned to Executive Session.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

8:31 pm came out of Executive Session

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

There was no action taken in the second Executive Session to contract negotiation. The Attorney will check with our insurance agent with regard to the matter of interest.

18. ADJOURNMENT - There being no further business to come before the Township Committee at this time, Mr. Severino made a motion to adjourn. Mazza seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 8:32 p.m.

Respectfully submitted,

Ella M. Ruta, RMC

William F. Bischoff, Mayor

Prepared by: Pat Essig, Administrative Assistant